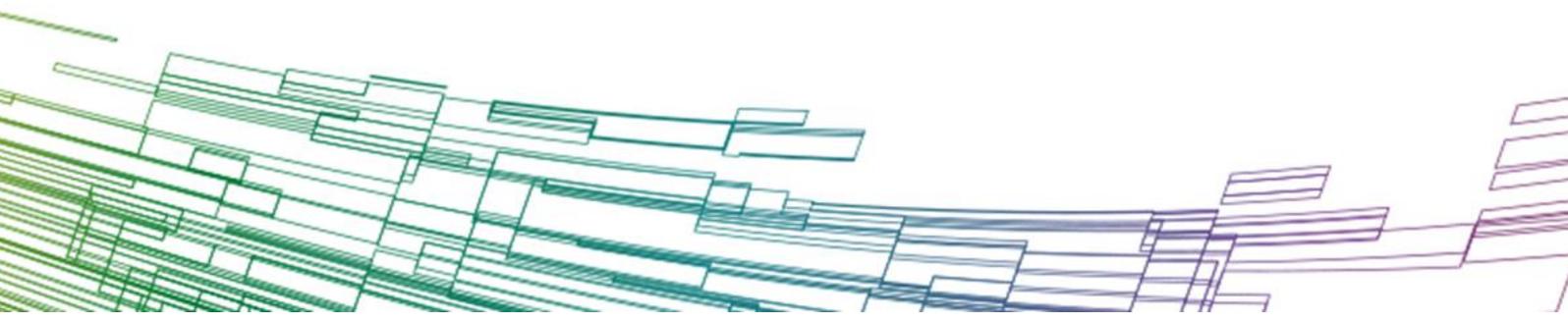


Leicestershire County Council

Statement of Community Involvement



April 2022



Planning Service Contact Details

Phone: 0116 305 1085

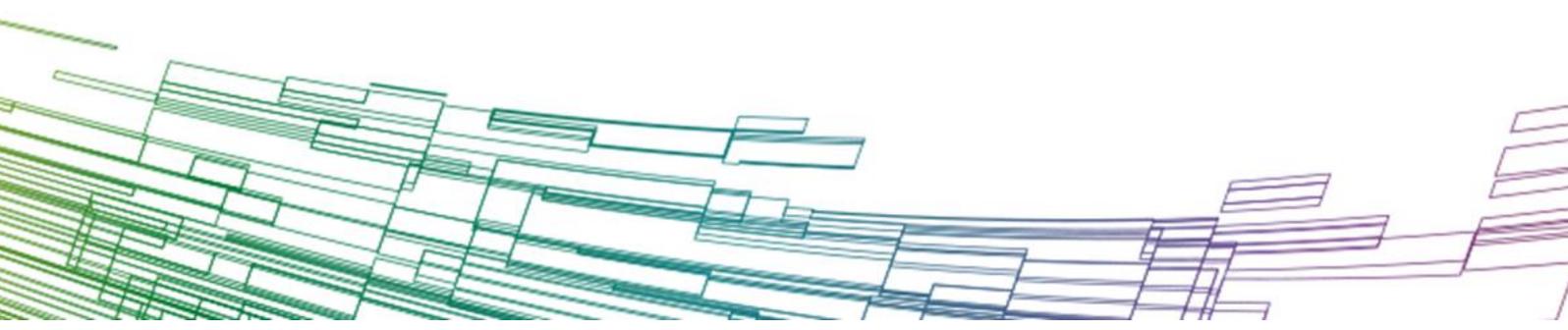
Email: planningcontrol@leics.gov.uk

Address: Planning Historic and Natural Environment
Chief Executive's Department
Glenfield
Leicester
LE3 8RA

Website: <https://www.leicestershire.gov.uk/environment-and-planning/planning>

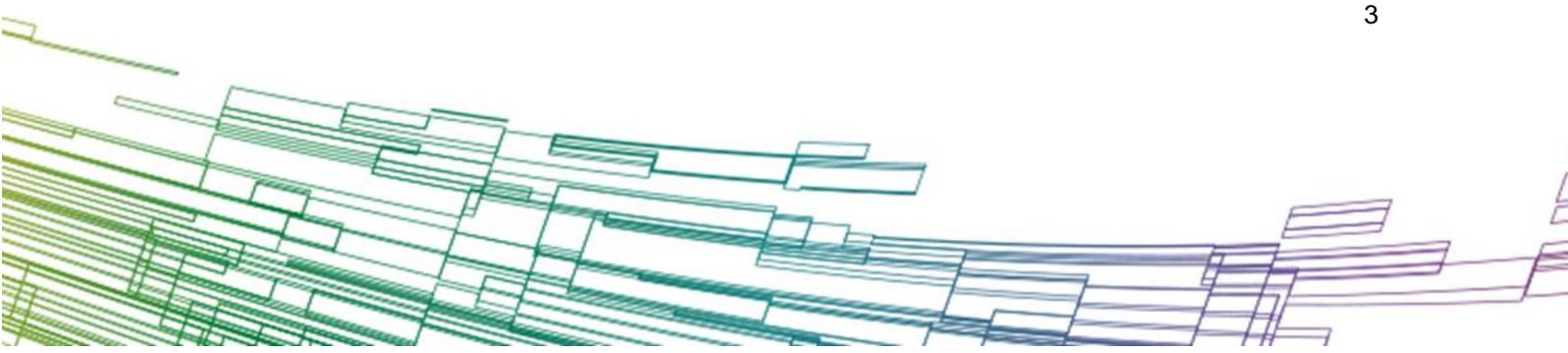
Leicestershire County Council General Enquiries

Phone: 0116 232 3232



Contents

1	INTRODUCTION.....	4
1.1	<i>Planning in Leicestershire</i>	4
1.2	<i>Plan making</i>	4
1.3	<i>Decision making</i>	5
2	COMMUNITY INVOLVEMENT IN PLANNING.....	7
2.1	<i>Statement of Community Involvement</i>	7
2.2	<i>What this update includes</i>	7
2.3	<i>Leicestershire County Council's Engagement Principles</i>	8
3	PLAN MAKING.....	10
3.1	<i>Community involvement in plan making</i>	10
3.2	<i>Keeping the community updated</i>	12
3.3	<i>Who will be involved?</i>	12
3.4	<i>How will the community be involved?</i>	14
3.5	<i>When will the community be involved?</i>	14
3.6	<i>How will community involvement influence planning policy?</i>	15
4	DEVELOPMENT MANAGEMENT.....	16
4.1	<i>Community involvement in development management</i>	16
4.2	<i>Who will be involved?</i>	18
4.3	<i>How will the community be involved?</i>	18
4.4	<i>When will the community be involved?</i>	20
4.5	<i>How will the community influence planning decisions?</i>	21
5	NEIGHBOURHOOD PLANNING.....	22
5.1	<i>Neighbourhood planning</i>	22
5.2	<i>Leicestershire County Council's role</i>	22
6	CLIMATE CHANGE.....	23
6.1	<i>Climate emergency</i>	23
6.2	<i>Leicestershire County Council's response</i>	23
7	PRE-APPLICATION ENGAGEMENT ADVICE.....	24
7.1	<i>Benefits of pre-application community involvement</i>	24
7.2	<i>Leicestershire County Council's Engagement Principles</i>	24
7.3	<i>Legal requirement for pre-application consultation</i>	25
7.4	<i>Submitting details</i>	25
7.5	<i>Examples</i>	25
8	POTENTIAL CONSULTEES.....	27
8.1	<i>County Council services</i>	27
8.2	<i>District Council services</i>	27
8.3	<i>Elected officials</i>	27
8.4	<i>Organisations involved in planning</i>	28
8.5	<i>Organisations with specific technical expertise</i>	28
8.6	<i>Local or national interest, industry, action, or campaign groups</i>	29
8.7	<i>Infrastructure providers</i>	29
8.8	<i>Planning, minerals and waste networks</i>	30



1 Introduction

1.1 Planning in Leicestershire

In the County of Leicestershire there is a two tier local government structure, with Leicestershire County Council comprising the 'upper tier' and the 'lower tier' consisting of the seven district and borough councils: Blaby, Charnwood, Harborough, Hinckley & Bosworth, Melton, North West Leicestershire and Oadby & Wigston.

In this two-tier system, the district and borough councils are the planning authorities for most types of development, with Leicestershire County Council responsible for planning matters relating to minerals and waste development. This is a distinct area of planning dealt with by county councils and unitary authorities.

All authorities are also responsible for determining planning applications for their own development. In Leicestershire County Council's case this would include, for example, applications for roads and some schools.

The 'Development Plan' is a set of formally adopted documents which outline the vision and framework for the future development of an area. When deciding if a development should be granted planning permission, local planning authorities consider whether it is in accordance with the planning policies which form the Development Plan, and whether there are any other *material considerations* which might be relevant to the decision making, such as Government guidance, and relevant issues raised by consultees or the public.

This means that the community has two main opportunities to shape the development of their local area: during the formation of the Development Plan, and during the decision making process.

1.2 Plan making

Each Leicestershire district and borough council has a Local Plan for their area, and Leicestershire County Council has a Minerals and Waste Local Plan for the whole of the county, excluding Leicester City.

Local Plans set out a vision for the future development of the area and provide a framework of policies and proposals setting out how that local authority's area should be planned and developed.

Some communities also have a Neighbourhood Plan, which has the same legal status as a Local Plan. A Neighbourhood Plan sets out policies that relate specifically to development in that community, often a parish or area of equivalent size.

The Development Plan is formed of the Leicestershire Minerals and Waste Local Plan, the relevant district or borough's Local Plan, as well as the relevant Neighbourhood Plan.

To be effective Local Plans need to be kept up to date, so all local planning authorities monitor their Plans, undertaking a review at least once every 5 years and updating it if the Plan and the policies are no longer effective.

Where changes to the Plan and its policies are necessary, the community has the opportunity to be involved and help shape any new Plan coming forward.

The Planning Inspectorate is involved at the later stages of Plan Making, with Plans having to go through an Examination in Public process to make sure it complies with legal and procedural requirements and is 'sound'. Being 'sound', means a Plan must be positively prepared, justified, effective and consistent with national policy.

1.3 Decision making

When a planning application is submitted to the County Council, it is validated to ensure it contains all the necessary information before consultation begins.

This consultation period seeks views from organisations with technical expertise, such as the Environment Agency and the Local Highway Authority. The application is also publicised to seek the views of the local community and other interested people.

Planning Officers consider whether the development is compliant with policies in the Development Plan and, taking into account any relevant considerations (including those raised by consultees), make a recommendation about whether the planning application should be granted planning permission.

The County Council has two routes through which planning applications can be determined: by officers under delegated powers, or by the Development Control and Regulatory Board (DCRB) which is made up of elected Members. The County Council identifies which types of applications may be determined by officers within its Constitution. Generally, it is the most sensitive and complex cases which are considered by DCRB.

In addition to making decisions about planning applications, the County Council also monitors developments that it has granted planning permission for; investigates and takes action (either formal or informal) relating to minerals and waste development which should have planning permission but does not, or is operating in breach of its planning permission; and works on planning appeals that have been lodged with the Planning Inspectorate. Collectively, this work is referred to as Development Management.

2 Community Involvement in Planning

2.1 Statement of Community Involvement

It is a legal requirement for planning authorities to prepare a Statement of Community Involvement (SCI) which sets out their policy on involving the community as they exercise relevant parts of their statutory planning function, and to review their SCI regularly.

The purpose of the SCI is to explain how and when the community will be able to take part in the production of planning policy and how they will be consulted on applications for planning permission. It also sets out how local planning authorities will provide advice or assistance to communities which make or modify a Neighbourhood Plan.

Community means any individual, organisation or group that appears to the County Council as having an interest in a development.

2.2 What this update includes

Leicestershire County Council's last SCI was published in 2015, and there are some aspects of it which need updating to reflect recent developments in the Development Plan, the wider Council, and society more generally.

In 2018, the regulations which require an SCI to be adopted and reviewed were amended to include reference to neighbourhood planning. A section about the role of Leicestershire County Council in the neighbourhood planning process and the County Council's approach to this has now been added.

In May 2019, Leicestershire County Council declared a Climate Emergency. The County Council published its Environment Strategy 2018-30, which was revised in 2020, and made a commitment to achieve carbon neutrality from its own operations by 2030. More recently, the County Council has pledged to reach a revised target of achieving 'net zero' across the County by 2045. The impact of consultation on the climate is considered in this SCI and a section has been included to set out how climate change will continue to be taken into account.

In September 2019 Leicestershire County Council adopted the current Minerals and Waste Local Plan which plans for development up to 2031. The County Council is now looking ahead to the review process: considering how well policies are working; whether they reflect the latest national policy context; and how the economic, social, and environmental context of development in Leicestershire is evolving.

During the last five years, the County Council's use of social media has grown, and the value of these platforms to engage with the people of Leicestershire is recognised. The County Council will update the way communities are involved in the planning process to reflect this.

Since early 2020 the global spread of Covid-19 led to fundamental changes to the way everyone lives and works. Whilst some of these changes are expected to be temporary, the pandemic has seen the County Council rapidly adapt and evolve the way it uses technology, and this has opened up different ways of working. An example of this is the use of virtual meeting software which offers an efficient way of engaging with people without the need to travel. The value of meeting in person is recognised, and Planning Officers intend to continue to do this, but it is acknowledged that virtual meetings offer flexibility and are considered an effective new tool for engagement.

Planning Officers are often approached by prospective applicants for their thoughts on how pre-planning application community engagement should be carried out, and who should be involved. The County Council has therefore included some advice about how to carry out effective community consultation, and a non-exhaustive list of potential consultees, in this SCI review.

The SCI, which relates solely to the County Council's planning function, has been aligned with Leicestershire County Council's Engagement Principles. These are the central considerations for all the engagement and consultation activities that the County Council carries out.

2.3 Leicestershire County Council's Engagement Principles

Leicestershire County Council's Engagement Principles, which state the most fundamental characteristics of the council's engagement activity, are:

- Inclusive:
We involve all those who have a stake on an issue by understanding our communities, actively reaching out to different groups, and tailoring our approach effectively.
- Transparent
We build trust with citizens by being open and clear about our thinking and decision-making.
- Meaningful
Our engagement activity is sufficiently well defined and well executed such that local people are able to participate fully and effectively influence our decision-making.

These principles, in addition to the legal requirements the County Council must adhere to as a planning authority, will be central to decisions made about informing the community, facilitating their feedback, and taking that feedback into account on planning matters.

Further information is available on the County Council website: leicestershire.gov.uk/have-your-say/engagement-standards.

3 Plan Making

3.1 Community involvement in plan making

3.1.1 *The Minerals and Waste Local Plan*

The planning system in the UK is 'Plan-led', which means all planning decisions should be in line with the Development Plan unless material considerations indicate otherwise. It is a statutory requirement for minerals and waste planning authorities (either county councils or unitary authorities) to have an adopted plan, or plans, which covers minerals and waste development.

The purpose of the Leicestershire Minerals and Waste Local Plan is to guide minerals and waste development in the county by allocating sites for new development, guiding certain types of development to appropriate areas, setting out criteria for assessing planning applications on new and existing sites, and using policies to support local, countywide, or nationwide strategies e.g. responding to climate change or protecting and enhancing the National Forest.

When planning for minerals development, geology is a key consideration as minerals can only be extracted where they naturally occur. Mineral reserves vary significantly within Leicestershire, in type and viability, and this will be reflected in policies which allocate sites for new development. The geology of the UK is diverse and Leicestershire is particularly rich in mineral reserves. The county's hard rock reserves are of national strategic importance due to their quality and quantity, and the wide variety of end uses they are suitable for including road construction and house building.

The aim is sustainable minerals and waste development - this means providing adequate minerals and waste management facilities for identified needs whilst protecting, the environment, the amenity of the people of Leicestershire, and what is unique and special about the local area.

Plans are reviewed regularly and updated if needed. There can be several stages in the preparation of a new, or updated, Plan, some of which are legally required, as shown in the flowchart on page 12.

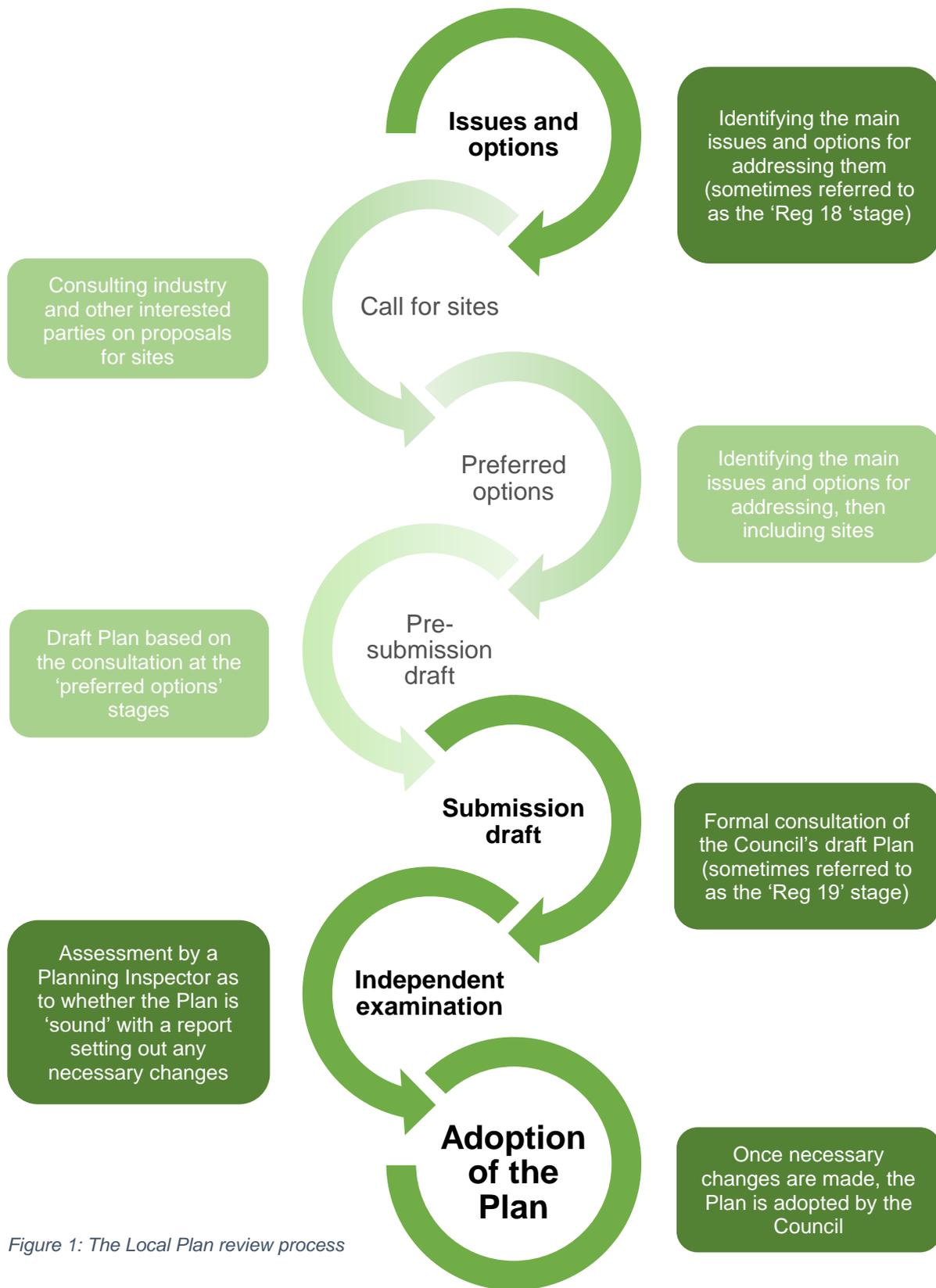
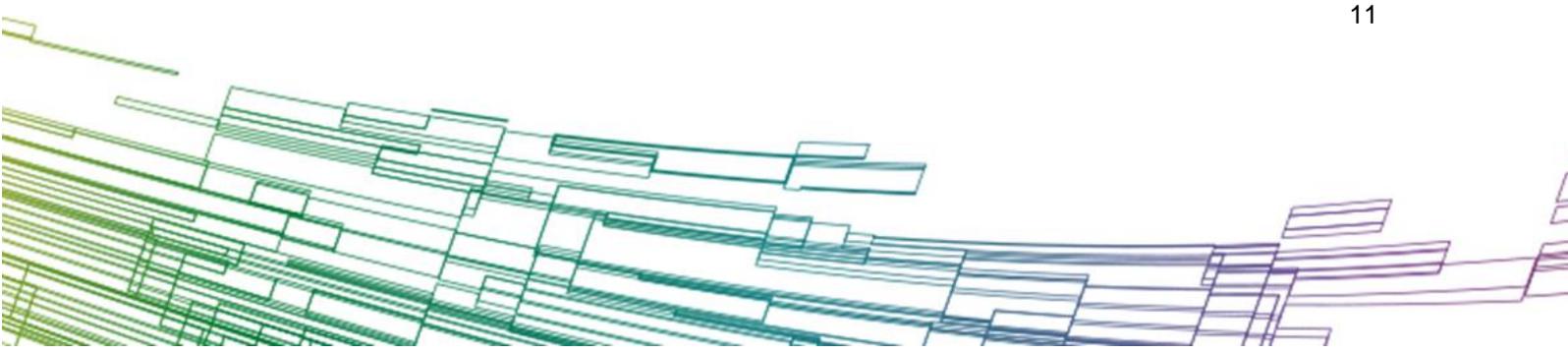


Figure 1: The Local Plan review process



Based on the views of the community and other evidence, such as the volume of the different waste types managed in the County and the provision of minerals to meet the needs of the County and beyond, the County Council will look at what the strategic objectives of the Plan will be and the policies needed to achieve those objectives.

When changes are made to the Plan, the County Council also need to make sure it conforms with national planning policies and consider whether any new social, environmental, or economic priorities may have arisen.

3.1.2 Community Consultation

The County Council will carry out a minimum of six weeks of community consultation at each stage of the Plan making process until it is submitted to the Planning Inspectorate for their Independent Examination. After each consultation stage, the comments received will be taken into account before progressing onto the next stage.

The County Council will publish an assessment of the comments received and an explanation of how they have been addressed.

3.2 Keeping the community updated

Planning authorities have a duty to prepare, publish, and maintain a Local Development Scheme (LDS) which sets out the timetable for preparing the planning documents. For Leicestershire County Council, this is referred to as the Minerals and Waste Development Scheme (MWDS) to keep communities up to date during this process. The County Council will publish the MWDS on their website. This will also be accessible by contacting the Planning Team by email, phone, or visiting County Hall. All the methods of contacting the Council, including through the website, are included at the start of this document.

The County Council will make use of its social media platforms to update people on any changes to the Local Plan and how to get involved. Comments made directly through these forums will not be able to be taken into account, but social media users will be directed to the correct consultation channels to make representations.

3.3 Who will be involved?

Anyone can make comments during the plan making process. The County Council will contact some organisations for their comments and they will fall into two distinct groups - those whom the government says must be involved (neighbouring authorities, and those known as prescribed bodies) and those whom the County Council chooses to consult, for instance because they have a known interest.

Examples of prescribed bodies would be district, borough, and parish councils (or their equivalent), and specific government agencies such as the Environment Agency, Historic England and Natural England. Neighbouring authorities will include adjoining County, district, borough and unitary authorities. Where relevant, the County Council will also engage with other public bodies (such as Local Enterprise Partnerships and Local Nature Partnerships), infrastructure providers and other non-governmental organisations (such as advisory bodies).

Local Planning Authorities are required by law *to engage actively, constructively and on an ongoing basis* with one another. The aim is to maximise the effectiveness of local plan preparation on cross-boundary matters. This requirement was brought in by the Localism Act 2011 and is known as the 'duty to cooperate'.

Beyond prescribed bodies, the County Council has discretion to decide which organisations to involve. Those that are consulted will be based on Planning Officer's professional judgement of likely interest in the review process, and are likely to be drawn from the following categories:

- The waste and minerals industries;
- Topic specific interest groups such as the RSPB or the Ramblers' Association;
- Area specific interest/action groups;
- Communities known to be affected by specific proposals; and
- People who have expressed a particular interest.

The County Council regularly engages with regional and national networks relating to its statutory planning function, and during the Plan review process. These groups may be consulted for their input on technical or strategic matters. Examples include:

- East Midlands Aggregate Working Party (EMAWP);
- East Midlands Regional Technical Advice Board (EMRTAB); and
- Leicestershire Development Management Forum (DM Forum).

A non-exhaustive list of groups and organisations that may be consulted is included at Chapter 8, which includes some commentary about when they may be consulted.

3.4 How will the community be involved?

The County Council will use a range of methods during consultation periods. Which are used will depend on what is considered most appropriate for effectively engaging with the community at the different stages.

In the first instance, the communications will be through the County Council's website and by email. The indicative list below presents other techniques that may be used:

- Advertisement in local press;
- Correspondence and/or documents sent directly to organisations and individuals;
- Liaison committees;
- Newsletters and questionnaires through Parish Councils/Meetings and libraries;
- One-to-one meetings, either in person or using virtual conferencing software;
- Press releases and articles in County Council publications;
- Printed material in public buildings such as County Hall, libraries, community centres and town halls;
- Public exhibitions;
- Social Media; and
- Workshops.

Upon request the County Council will endeavour to make documents available in different formats (e.g. Braille, large print, different languages) or help people with additional needs or disabilities to access documents and facilitate responding to consultations.

3.5 When will the community be involved?

There are opportunities to be involved in many stages of the preparation of the Minerals and Waste Local Plan. Whilst the County Council hope that consultees will get involved as early as possible and will remain involved throughout the process, they can drop in and out throughout. The earlier people become involved, the greater the opportunity to help influence policy direction.

3.6 How will community involvement influence planning policy?

All comments made to the County Council during the Local Plan consultation stages will be taken into account in producing each subsequent stage of the Local Plan, but it is important that the community understands the reality of what the County Council needs to achieve and the importance of having a Local Plan which is balanced and effective.

Whilst Leicestershire County Council is bound to consider all representations properly, proposals may not always change as a result of the representations received. When people make opposing comments - for instance about where development should be located - it may be impossible to resolve the conflict, or the Council may believe that the proposals offer substantial public benefit. Nevertheless, the County Council will always use a robust evidence base and professional judgement to make its decision, and so do so in ways that are justified and transparent.

As a local planning authority, the County Council has a responsibility to deliver the Local Plan and make decisions for the good of everybody, so policy cannot always be swayed by individual arguments.

The County Council will publish the comments received at each stage and will provide reasons for any changes made and any representations rejected.

4 Development Management

4.1 Community involvement in development management

4.1.1 *Planning applications*

Leicestershire County Council determines all planning applications relating to minerals and waste development, as well as any development the County Council is carrying out itself.

Minerals development includes complex applications such as new, or extended, quarries, as well as any smaller development being carried out on mineral sites, such as new portacabins for quarry offices. Similarly, the scale of waste development can vary from strategic scale projects such as energy from waste plants, to much smaller scale and smaller impact schemes for new equipment (e.g. a weighbridge) at an existing waste site.

The types of development the County Council carries out itself can relate to facilities run in the capacity as a County Council, for example new schools or developments at country parks, as well as proposals that the County Council operates commercially, such as business parks.

The law sets out how consultations on planning applications must be carried out once a planning application is registered and different regulations can apply to different sorts of development. For example, additional consultation is required when an Environmental Statement is necessary under the Environmental Impact Assessment Regulations. The County Council must comply with any relevant minimum requirements for statutory consultees and timescales.

In all cases the County Council will meet the statutory minimum requirements for consultations and in many cases will exceed them, to ensure that all those who wish to comment can do so. Decisions on non-statutory consultation depend on the nature, scale and setting of a proposed development. Planning Officers will use professional judgement when considering this.

Some types of application submitted to the County Council have no prescribed consultation requirements, generally because they are simple or relate solely to technical details. The County Council has discretion to consult those considered appropriate in these instances and this generally means organisations with technical expertise on the matter in question. An example of this is where the County Council Ecology Team would be consulted when a Protected Species Survey is submitted.

4.1.2 Sites with Planning Permission

Planning Officers work hard to maintain ongoing and effective communication with the operators of mineral and waste sites in the County and other key stakeholders. Efforts are made to allocate each site to a specific officer within the Planning Team so there is a consistent point of contact. If the community raises concerns with the County Council; about a site, Officers will speak directly with the operators and try to find solutions.

The County Council conducts monitoring visits to ensure sites are working in compliance with their planning permission. The frequency of visits depends on how complex or sensitive a site is, in addition to the stage of the development (i.e. whether they are operational, undergoing restoration or in aftercare) in the case of quarries and landfill sites.

Liaison Committees are often set up for more complex and long running sites, particularly where they are located close to a community. Meetings are organised by the site operators and attended by various stakeholders, such as Parish, District and County Councillors, local residents, Environmental Health Officers, representatives from the site, and Planning Officers from the County Council. They provide an opportunity for the operator to update stakeholders on progress and future plans, listen to local concerns, and find solutions together. The County Council encourages members of the community to engage with representatives of Liaison Committees as an established and effective method to identify and address local concerns.

4.1.3 Unauthorised development

Where breaches of planning control have taken place, the County Council is entitled to take enforcement action when necessary. Unlike planning applications, there is no statutory consultation requirement for enforcement action.

4.1.4 Appeals

If an appeal is lodged in relation to a planning application or formal enforcement action, all bodies and individuals who were consulted on the original matter or who made written comments will be informed. Any appeal made against a Council decision will be determined by the Secretary of State, who often delegates powers to the Planning Inspectorate.

4.2 Who will be involved?

Consultation on planning applications generally involves two groups: those who, by virtue of their location, would be affected by the proposal, and those whom the County Council looks to provide specialist comment and advice.

For planning applications there are bodies within either group which the County Council is legally required to consult. These are known as statutory consultees and include relevant district, borough and parish councils and other organisations with specific technical expertise or legal function where certain thresholds are met. The County Council may also consult neighbouring authorities where a proposed development could impact upon their area.

The organisations and individuals that are consulted on a given application will depend upon the nature, scale and setting of a proposed development, and Planning Officers will use their professional judgement when considering this.

A non-exhaustive list of groups and organisations that may be consulted is included at Chapter 8.

4.3 How will the community be involved?

All planning applications submitted to the County Council will appear on the Statutory Planning Register held by the respective district and borough councils, and all public documents submitted as part of the application will be available on the County Council's website.

If someone has difficulty viewing documents at home, for example if they do not have an internet connection, they can contact the Planning Team and they will consider how the County Council can help, for example inviting them to County Hall to access a computer. As part of the County Council's commitment to lessening its impact on the environment, enabling digital access will be considered in the first instance before printing anything off.

There are different legal requirements to publicise planning applications depending on the type of development, and Planning Officers may decide to use additional methods as appropriate. In addition to the website and Statutory Register, the main ways the County Council publicises planning applications are:

- Neighbour notification letters (the extent of this depends on the complexity of the proposed development and could be extensive);
- Press notice(s); and

- Site notice(s).

For applications where there are complicated matters or issues of concern, a more extensive consultation approach may be required including working with key stakeholders:

- Organisations and individuals with a special interest in the application;
- District or borough council;
- Parish councils/meetings;
- Site liaison committees; and
- Other community groups, as appropriate, to disperse information to the community where possible.

For the most contentious applications, which are likely to attract a considerable number of representations and have the potential to significantly impact on communities, the County Council may hold public meetings and exhibitions. These events will generally be held at the nearest suitable and available venue to the application site. This is likely to be a village or church hall, community centre, or school. Details of the venue will be advertised in the local area as widely and as far ahead as possible.

For applications that are likely to be contentious, the County Council strongly encourages applicants to organise and carry out public events prior to submitting a planning application as part of their pre-application engagement – see Chapter 7 of this document.

For applications which attract press attention, the County Council may also work with the local media to help to ensure balanced coverage.

Anyone interested in speaking to a Planning Officer about a particular application may do so within working hours, by phone, virtual meeting, or at the County Council offices. It is advisable to make an appointment before visiting the County Council offices to obtain information about a specific application. Contact details are included at the start of this document.

Members of the public may also wish to make use of Planning Aid England, which provides free independent, professional advice and support on planning issues to people and communities who could not otherwise afford it. Further information can be found at www.rtpi.org.uk/planning-aid.

Where an application meets the criteria to be decided by the Development Control and Regulatory Board (DCRB), members of the public and applicants may request to speak during the relevant meeting. Anyone who has made written comments will be sent details of how to do this. Agendas and reports for DCRB meetings are published on the County Council website five working days before each meeting.

Details about speaking at DCRB, and the criteria for when planning applications are decided by DCRB, is available on the County Council website:

leicestershire.gov.uk/environment-and-planning/planning

DCRB meetings are broadcast live and saved on the publicly accessible 'Committee Meetings - Leicestershire County Council' YouTube channel: www.youtube.com/leicestershirecc

Decisions made at DCRB meetings are published on the County Council's website within 24 hours of the meeting.

4.4 When will the community be involved?

The County Council encourages prospective applicants, particularly those proposing complex schemes or development in sensitive areas, to engage with the community early in the process, prior to the submission of the planning application. This allows potential issues to be identified early and for an iterative process to refine the development having engaged with the public. For some types of development, and when certain regulations apply, this is a legal requirement. Further advice for prospective applicants is included at Chapter 7.

Once submitted and validated, the consultation period for planning applications is usually a minimum period of three weeks. In some specific instances a longer period is required by law. After consultation, a determination can be made, so the County Council encourages all comments to be submitted within the specified consultation period to ensure that they can be taken into account.

When significant changes are made to a planning application, the County Council may re-consult, i.e. go through the publication and consultation process again, the time for comments in this instance is shortened. Where further information is submitted which relates a development's potential environmental effects, it will normally be directed towards the relevant technical consultee(s) rather than undertaking another full consultation exercise. The exception to this is where there is a statutory requirement to do so, for example in relation to planning applications that are subject to the EIA regulations.

4.5 How will the community influence planning decisions?

In addition to effective pre-application consultation undertaken by an applicant, which is covered in further detail in chapter 7, consultation on planning applications is the main way the community can influence planning decision making.

The County Council is bound to record and consider any representations it receives during the official consultation period but it is important to be aware that not all comments made on planning applications raise issues that are material considerations to planning decisions. A common example of something which will not be taken into account is the impact a proposed development might have on the value of property.

Where technical and material comments are made, the County Council might decide to contact the applicant to ask that more information is provided, or amendments are made. If these changes are significant, it may be appropriate to re-consult.

All representations from consultees and the public are part of the 'planning file' and available for public inspection. However, careful consideration has been given to what is actively published on the County Council's planning website. In order to meet the County Council's values of openness and transparency, all representations from technical and statutory consultees are published on the County Council website. However, due to the volume of public representations that can be received and the need to review each one before publication to ensure there is no inadvertent breach of data protection regulations, public representations are not routinely published on the website. Public representations will be available to upon request. A report is written for every planning application the County Council determines and this is published online. All representations made on an application are summarised in these reports.

5 Neighbourhood Planning

5.1 Neighbourhood planning

Neighbourhood planning gives communities the opportunity to develop a shared vision for their neighbourhood and to shape the development and growth of their local area by providing a set of tools for local people to plan for the types of development to meet their community's needs. Neighbourhood planning is not a legal requirement but a right which communities in England can choose to use.

Local communities can choose to:

- Set planning policies through a neighbourhood plan which is approved by the community at a referendum and then forms part of the Development Plan.
- Grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order.

It is a legal requirement for a Statement of Community Involvement to include policies for advising and assisting in the neighbourhood planning process, but different types of councils have distinct roles.

5.2 Leicestershire County Council's role

District, borough, and unitary councils (e.g. Charnwood Borough Council or Leicester City Council) are the relevant local planning authority for neighbourhood planning and have a significant role in the process, including deciding whether the plan complies with all the relevant statutory requirements and is ready to go to a referendum.

As statutory consultees, county councils are consulted during the process but are not legally obliged to provide comments, advice, or assistance.

As a consultee for all neighbourhood plans which relate to areas wholly or partially within Leicestershire, the County Council is legally required to be consulted at two points. Firstly, the group preparing the plan must consult the County Council whilst they are drafting the plan, and then once the plan is submitted to the respective local planning authority then they must consult the County Council before a decision is made about the neighbourhood plan's compliance.

The County Council endeavours to provide meaningful, constructive feedback when consulted, and seek views from multiple departments within the Council to ensure that the Council's wide range of functions are represented within responses.

6 Climate Change

6.1 Climate emergency

Leicestershire County Council declared a climate emergency in 2019. The Council is committed to addressing climate change through becoming a net zero council by 2030 and working with Leicestershire people and organisations to become a net zero county by 2045 or before.

6.2 Leicestershire County Council's response

All council departments have a role to play in reaching net zero, and in the context of the County Council's consultation work as a local planning authority this means balancing its legal duties to consult on and publicise planning applications and policies, with the changes which need to make to reduce the County Council's impact on the environment.

The County Council is already making substantial progress with the transition from paper based to digital working and, in all instances, will endeavour to reduce the need to print. In practice, this may mean facilitating access for a local resident to use a computer at County Hall to view planning application documents, or making sure Officers have the IT equipment they need to view multiple documents on screen at once. Sometimes printing is essential to keep people informed about planning applications or policy, and is required by law, for example site notices.

The County Council's use of online meeting software has, like many others, increased enormously since the start of the Covid-19 pandemic. Whilst it is acknowledged that virtual meetings do have their limitations, i.e. some people do not have access to the internet, it is also recognised that by reducing the need for people to travel around Leicestershire, the carbon footprint is reduced. The County Council will therefore retain virtual meetings as a tool for meeting with members of the community, as far as they are not a barrier to community involvement.

Development Control and Regulatory Board meetings are streamed and saved on Leicestershire County Council's YouTube channel (the live and recorded content provider may change in time). This enables members of the public who may otherwise have travelled to County Hall to attend the meetings to observe online instead, therefore saving the carbon impact of their return journey.

7 Pre-application Engagement Advice

7.1 Benefits of pre-application community involvement

The County Council strongly encourages prospective applicants to engage with the local community, statutory and non-statutory consultees, before submitting their applications. This is especially important when the proposed development is large, complicated, in a sensitive area, or likely to have an impact on the local community. Planning applications that are subject to an Environmental Impact Assessment can be an indication of this.

Effective pre-application engagement should allow for an iterative process which sees proposals evolve and develop as they take into account the views of consultees. If issues are identified and resolved prior to the submission of an application, the determination process will be more efficient.

7.2 Leicestershire County Council's Engagement Principles

These principles should be the starting point for prospective applicants when they consider how to:

- Inform the community about a development proposal;
- Facilitate feedback from the community; and
- Take into account the feedback that is provided.

Meaningful

Developers should define, plan, and execute their pre-application engagement in a way that all members of the community are able to fully take part in, and ensure it provides genuine opportunities for the community to influence development proposals.

Inclusive:

Developers should work to understand the community that may be affected by their proposals, and efforts should be made to ensure any events, platforms or feedback channels do not exclude any members of the community with different access requirements.

Transparent

Developers should ensure the community have realistic expectations of their role in the pre-application engagement process, what parts of the proposal are still being evolved and the impact their comments have had.

7.3 Legal requirement for pre-application consultation

Whilst pre-application consultation is considered best practice and is strongly encouraged by Leicestershire County Council, for some types of development there is a certain level of engagement that is legally required to be carried out by developers.

At the time of the adoption of this SCI, for wind turbine development comprising either two turbines, or any wind development over 15m high, a developer must conduct a consultation exercise which meets specific criteria.

Prospective applicants must ensure they meet the most up-to-date relevant legal or procedural requirements for consultation that apply to specific types or development.

7.4 Submitting details

Applicants should include details of any pre-application consultation that has taken place in a Statement of Community Involvement and submit this as part of their planning application. The Statement should show how the views of the local community have been gathered and how they were taken into account in the formulation of development proposals.

7.5 Examples

Pre-application community consultation should be proportionate and tailored to the development proposal and its context, taking into account not only the nature of the proposed development, but also the characteristics of those that may wish to get involved in the process. Some examples of effective methods include:

Understanding the community

- Reaching out to existing groups and community figures to understand the characteristics and dynamics of a community to inform engagement and consultation methods.
- Establishing a liaison committee prior to seeking formal pre-application advice or submitting a planning application (for particularly complex and/or contentious proposed development).

Reaching different stakeholders

- Involving end users of a development in the design process e.g. children for a new school proposal.
- Using local notice boards to supplement traditional letter drops to cater for interested parties who live outside the distribution area but work or spend leisure time within it.

Effective use of established methods

- Using a familiar 'real world' format for online consultation websites to make them more accessible and interesting, e.g. virtual village hall layout with boards for information, TV screen for video and comments box for providing feedback.
- Ensuring dates and times chosen for events do not conflict with key events that may inhibit some members of the community from attending, e.g. religious festivals.
- Making consultation events family friendly by including activities for children, e.g. colouring.

Facilitating feedback

- Providing material to access online or take away from an exhibition to give attendees more time to understand and formulate feedback.
- A dedicated email address for feedback has practical advantages, as well as allowing the number of responses to be monitored and reported on in the submission's Statement of Community Involvement.

8 Potential Consultees

This section includes a non-exhaustive list of individuals, groups and organisations who could potentially be consulted in Leicestershire County Council's planning functions. Depending on the type of development or planning policy that the County Council is consulting on, it could be a legal or procedural requirement to consult some of those listed.

This list should also be used by prospective applications who are considering their pre-application engagement work and who should be involved.

8.1 County Council services

- Ecology
- Heritage
- Highways Authority
- Landscape
- Lead Local Flood Authority (LLFA)
- Public Health
- Public Rights of Way

8.2 District Council services

- Environmental Health (noise, vibration, air quality (inc. dust and odour), contamination)
- Planning
- Urban Design and Design Guides

8.3 Elected officials

- County Councillors
- District Councillors
- Members of Parliament
- Parish Councillors

8.4 Organisations involved in planning

- Neighbouring Planning Authorities
- Parish Councils and Neighbourhood Forums
- Secretary of State Planning Casework Unit

8.5 Organisations with specific technical expertise

- British Waterways Board
- Canal & River Trust
- Coal Authority
- Environment Agency
- Health and Safety Executive
- Historic England (Formerly English Heritage)
- Leicestershire Fire & Rescue Service HQ
- Leicestershire Police Designing Out Crime Team
- National Highways (formerly Highways Agency)
- Natural England
- Sport England
- The Garden History Society
- The Office for Nuclear Regulation
- The Theatres Trust
- UK Health Security Agency and Office for Health Improvement and Disparities (previously Public Health England)
- Water or Sewerage Undertakers

8.6 Local or national interest, industry, action, or campaign groups

- Chamber of Commerce
- Charnwood Forest Regional Park Board
- Community Specific Residents' Associations
- Council for the Protection of Rural England
- Inland Waterways Association
- Leicester Civic Society
- Leicestershire & Rutland Sport
- Leicestershire & Rutland Wildlife Trust
- Leicestershire Bridleways Authority
- Leicestershire Local Access Forum
- Leicestershire Footpaths Association
- Local and national groups with specific concerns
- National Amenity Societies
- National Forest Company
- Ramblers Association
- Site-Specific Liaison Committees
- The Woodland Trust

8.7 Infrastructure providers

- Cadent Gas Limited
- High Speed Two (HS2) Limited
- Network Rail
- Severn Trent Water Ltd

8.8 Planning, minerals and waste networks

- East Midlands Aggregate Working Party (EMAWP)
- East Midlands Regional Technical Advice Board (EMRTAB)
- Leicestershire Development Management Forum (DM Forum)